

MINUTES

BOARD OF BENTON COUNTY COMMISSIONERS

Regular Board Meeting
February 1, 2010, 9:00 a.m.
Commissioners' Conference Room
Benton County Courthouse, Prosser, WA

Present: Chairman James Beaver
Commissioner Leo Bowman
Commissioner Max E. Benitz, Jr.
County Administrator David Sparks
Clerk of the Board Cami McKenzie

Benton County Employees Present During All or a Portion of the Meeting: Deputy Administrator Loretta Smith Kelty; Adam Fyall, Community Development Coordinator; Financial Analyst Keith Mercer; Personnel Manager Melina Wenner; Facilities Manager Roy Rogers; Bryan Perry, Safety Coordinator; Steve Becken, Sue Schuetze, and Malcolm Bowie, Public Works; DPA Ryan Brown; Susan Walker and Valerie Smith, Planning; Nick Kooiker and Erhiza Rivera, Treasurer's Office; Auditor Brenda Chilton; Sheriff Larry Taylor; Undersheriff Paul Hart; Planning Manager Mike Shuttleworth.

Approval of Minutes

The Minutes of January 20, 2010 were approved.

The Minutes of January 25, 2010 were approved as corrected.

Consent Agenda

MOTION: Commissioner Benitz moved to approve the consent agenda items "a" through "n", and moving item "h" (Red Mountain Interchange) to the 9:15 discussion relating to Red Mountain. Commissioner Bowman seconded and upon vote, the Board approved the following:

Assessor

- a. Line Item Transfer, Fund 0000-101, Dept. 101

Human Services

- b. Agreement, #09-11-MHPIHP-CFCS-00, w/Catholic Family & Child Service of the Tri Cities
- c. Agreement, #09/11-MH-NONPIHP-CFCS-00, w/Catholic Family & Child Service

Juvenile

- d. Contract w/City of Benton City for Graffiti Abatement Program
- e. Amended Contract w/J & J Security for Security and Transportation Services

Office of Public Defense

- f. Contract, #BCSC1012SPS001, w/S Sant for Superior Court Indigent Defense
- g. Contract, #BCDC0910LPS002, w/L Swinney for District Court Indigent Defense

Public Works

- i. 2010 Equipment Rental Rates

Sheriff

- j. Authorization to Purchase Table and Chairs from Norix Group, Inc.
- k. Contract w/City of Olympia for Use of Jail Facilities

Sustainable Development

- l. Letter to Department of Ecology on Lake Roosevelt

Treasurer

- m. Cancellation of Uncollectible Personal Property Taxes

Workforce Development Council

- n. Appointment of C Lee to Represent Public Assistance Agency

The Board briefly recessed, reconvening at 9:05 a.m.

Public Hearing – City of Richland – Application for Franchise

Sue Schuetz said the City of Richland filed a petition to continue a nonexclusive franchise for a water and sewer distribution system within Benton County road right of way. Ms. Schuetze said that based upon the information received, her office recommended approval.

As there was no one present to testify, public testimony was closed.

MOTION: Commissioner Bowman moved to approve the City of Richland’s petition for franchise, with the listed conditions. Commissioner Benitz seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:10 a.m.

Public Hearing – Plymouth Water District – Application for Franchise

Sue Schuetz said the Plymouth Water District filed a petition for a nonexclusive franchise to continue a water distribution system within Benton County road right of way. Ms. Schuetze indicated that based upon the information received, her office recommended approval.

Additionally, Ms. Schuetze said they did receive phone calls from various people within the district about their rate increase, but it had nothing to do with the franchise request.

As there was no one present to testify, public testimony was closed.

MOTION: Commissioner Benitz moved to approve Plymouth Water District’s petition for franchise, with the listed conditions. Commissioner Bowman seconded and upon vote, the motion carried unanimously.

The Board briefly recessed, reconvening at 9:15 a.m.

Red Mountain Interchange – Economic Impact Study

Ruth Swain, City of W. Richland, briefly discussed the financial return for Benton County and the region if the interchange was built. She said that Red Mountain was prime region for growing grapes and they believed Red Mountain and the wine industry was critical to the area's economic diversity. Additionally, the wine industry was one of the only sectors that continued to have growth.

Jason Robertson, J. Robertson & Company gave a Powerpoint presentation on the Interstate-82 Red Mountain access economic impact analysis. He said this was the numbers part of the vision and the presentation included information on the following:

- Methodology and assumptions - 20 year horizon
- Economic Impact Area
 - (755,000 square feet of development – generating \$107.5 million new capital investment)
 - Breakdown of development
 - Employment, payroll and spending – phased impact
- Impacts Comparison – near term v. extended development scenario
- Tax Benefits – for jurisdictions, construction impact, long-term impact
- Summary – results could be exponentially greater; tremendous ROI for \$4 million interchange

Commissioner Benitz asked about the partners, the costs of infrastructure, and if the grant went through, how much it would obligate the County. Mr. Robertson said the costs of infrastructure could be part of the next phase and/or study.

Ruth Swain, City of W. Richland, indicated that DNR has said they were very willing to participate in development, through land swap and long-term leases of the land. Commissioner Bowman agreed that DNR was still very interested, however, their land was “trust land” and had to be dealt with differently.

Mr. Robertson said he had met with DNR Managers and they were seeking grant money for studies. He said everyone was looking at the big vision and taking the baby steps necessary to get there. He said they were now asking the State to invest the \$24 million for the interchange and saying we would take care of the local roads.

Commissioner Benitz also discussed the expansion of the UGA and his view that the State should participate in the project since it would receive the biggest economic benefit.

Consent Agenda Item “h” – Application for Red Mountain Interchange

Commissioner Bowman said he felt the \$24 million request might be too large and requested the amount be changed to \$5 million with an amended scope. He said that Benton County might stand a better chance of success by requesting a smaller amount to deal with the earlier stages of the funding process.

Commissioner Benitz said if the amount was going to be changed, he wanted to see the impacts and asked if it could be postponed for one week so other partners could weigh in on the process.

Commissioner Bowman said he would be happy to postpone it. Additionally, if the County asked for \$5 million that it would not obligate it for the other \$19 million.

Steve Becken said the application was due by February 12 and he would not be able to get everyone together by that time to discuss the issue.

Chairman Beaver said he was not in favor of Benton County residents paying for another state highway. He said he was in favor of moving forward with some vision, but the County still needed to deal with the daily vision of the one and six-year road programs and he wanted to be very careful about how they obligated the County. He said he was in favor of asking for the \$24 million.

Commissioner Bowman noted they previously asked for the money and got nothing because they asked for too much. He said he believed that Public Works staff could monitor the other projects while working on this project as well. He said this project was in Benton County and it was in Benton County’s best interest for these types of projects to happen, even if the County was 7th on the list for benefits. He said he believed that staff could make these minor adjustments to the paperwork and encouraged the Board to reconsider the \$5 million and the scope according to that price.

MOTION: Commissioner Benitz moved to approve the application for the FY 2011 Transportation Request Form for the Red Mountain Interchange as presented in the amount of \$24 million. Chairman Beaver seconded and upon vote, the motion carried with Commissioner Bowman opposing.

The Board briefly recessed, reconvening at 10:12 a.m.

Commissioner Priorities

David Sparks and Loretta Smith Kelty reviewed the 2009 Commissioner Priorities and updated the Board on their status. Mr. Sparks asked the Board how it wanted to proceed for the 2010 year and suggested the economic study for moving the County Seat be included in the 2010 priorities.

Commissioner Bowman said he agreed the economic study should be a major focus so they could define what moving the county seat meant.

Both Commissioners Benitz and Beaver also agreed the economic study should be a priority. The Board agreed to have Mr. Sparks take the individual priorities from each commissioner to combine goals and bring it back for review.

Executive Session – Union Negotiations

The Board went into executive session with DPA Sarah Perry at 10:28 a.m. for approximately 20 minutes to discuss union negotiations. Also present were Ryan Brown, Sheriff Larry Taylor, Undersheriff Paul Hart, Melina Wenner, Loretta Smith Kelty; David Sparks, and Cami McKenzie.

The Board came out of executive session at 9:50 a.m. Mr. Perry stated that no decisions were made.

MOTION: Commissioner Bowman moved to approve the Collective Bargaining Agreements for the Appraisers group and the Facilities/Parks group. Commissioner Benitz seconded and upon vote, the motion carried.

Executive Session – Potential Litigation

The Board went into executive session at 10:53 a.m. with DPA Jonathan Young for approximately 10 minutes to discuss potential litigation. Also present were Melina Wenner, Sheriff Larry Taylor, Undersheriff Paul Hart, Bryan Perry, Lortta Smith Kelty, DPA Ryan Brown, David Sparks, and Cami McKenzie. The Board came out at 10:57 a.m. Mr. Young stated that no action was taken.

Other Business

Legislation

Commissioner Bowman updated the Board on proposed legislative tax increases.

Vouchers

Check Date: 1/29/2010
Warrant #: 943098-943303
Taxes #: 01010110
Total all funds: \$2,098,314.69

Check Date: 1/29/2010
Warrant #: 942952-943097
Taxes #: 01010110
Total all funds: \$580,167.48

Total amounts approved by fund can be reviewed in the Benton County Auditor's Office.

Claim for Damages

CC 2010-03: Received on February 1, 2010 from Pamela Baugher

Resolutions

- 10-066: Line Item Transfer, Fund 0000-101, Dept. 101
- 10-067: Agreement, #09-11-MHPIHP-CFCS-00, w/Catholic Family & Child Service of the Tri Cities
- 10-068: Agreement, #09/11-MH-NONPIHP-CFCS-00, w/Catholic Family & Child Service
- 10-069: Contract w/City of Benton City for Graffiti Abatement Program
- 10-070: Amended Contract w/J & J Security for Security and Transportation Services
- 10-071: Contract, #BCSC1012SPS001, w/S Sant for Superior Court Indigent Defense
- 10-072: Contract, #BCDC0910LPS002, w/L Swinney for District Court Indigent Defense
- 10-073: 2010 Equipment Rental Rates
- 10-074: Authorization to Purchase Table and Chairs from Norix Group, Inc.
- 10-075: Contract w/City of Olympia for Use of Jail Facilities
- 10-076: Cancellation of Uncollectible Personal Property Taxes
- 10-077: Appointment of C Lee to Represent Public Assistance Agency
- 10-078: Application Letter to Honorable Patty Murray re Red Mountain Interchange
- 10-079: Collective Bargaining Agreement Representing Facilities/Parks
- 10-080: Collective Bargaining Agreement Representing Appraisers

There being no further business before the Board, the meeting adjourned at approximately 11:00 a.m.

Clerk of the Board

Chairman